

RESOLUTION NO. 12-038

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE
CONTRACT FOR TAX APPEALS COUNSEL**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle legal matters relating to tax appeals as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5) with two bids having been received and considered for the positions of Tax Appeals Counsel by the Township Committee based upon recommendations provided by the Township Administrator and Tax Assessor; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, Richard Leahy, Esq. of the firm of Bernard Reilly LLC, 90 Maple Avenue, Red Bank, New Jersey 07701 has qualified and agreed to provide legal services as Tax Appeals at a rate of \$100 per hour estimated not to exceed \$50,000, exclusive of fees for witnesses, experts, filing fees, legal research, title work, or other reasonable approved expenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that Richard Leahy, Esq. of the firm of Bernard Reilly LLC is hereby awarded a professional services contract for the provision of legal services as Tax Appeals Counsel to the Township as needed during 2012 for an amount estimated not to exceed \$50,000.

BE IT FURTHER RESOLVED that the Mayor and the Clerk are hereby authorized and directed to execute an Agreement for the provision of such professional services, a copy of which shall be maintained by the Clerk and advertised in the Township's official newspaper pursuant to law.